

COMMITTEE ON COUNTIES, MUNICIPALITIES AND MILITARY AFFAIRS

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* Strike-everything Amendment
[E] Emergency Clause
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HB 2065 – Chapter 40 – *construction contract bids; civil penalty

Increases the penalties for agents that knowingly violate current laws relating to bidding out construction contracts. Session law outlines a process for representatives to study city and county compliance with state laws relating to construction contract bidding. Designates representatives from a statewide association of: contractors; cities and towns; and, county supervisors.

HB 2067 – Chapter 223 – *critical infrastructure information; penalty

Establishes a Class 5 felony for any state or local governmental employee who knowingly divulges critical infrastructure information (CII) contained in and protected by the statewide CII system. Applies to any entity that submits or receives CII that is published, divulged or disclosed by a person who knows the information is protected from disclosure.

HB 2069 – Chapter 179 – *cable television; licensing

Lists the costs and expenses a licensing authority may require a cable operator to pay as part of issuing a license to provide cable services.

HB 2102 – Chapter 268 – *county omnibus

Allows counties to set license fees in unincorporated areas and increases county officers' salaries. Expands the list of acceptable submitters of digitized images of recordable instruments.

HB 2328 – Chapter 273 – county graffiti abatement

Permits counties to adopt and enforce ordinances for the prevention, abatement and removal of graffiti, provided the restrictions on the retail display of potential graffiti tools meets certain criteria.

HB 2387 – Chapter 215 – *county treasurer; procedures

Allows county treasurers in counties with a population of more than 2 million persons to receive an electronic notice for a warrant. Prohibits a person, including a former employee or agent of the county treasurer, who has received confidential information while an employee or agent, from disclosing that information except to the taxpayer or the taxpayer's designee, a licensed title company, a lawful court order or subpoena or the Auditor General.

HB 2486 – Chapter 254 – *county road districts; alternate government

Permits county residents to establish a road improvement and maintenance district with the purpose of building a community road to less-than-county standards.

- Outlines the process of converting a County Improvement District (CID) to a Road Improvement and Maintenance District (RIMD) for the purpose of road improvements that are not built to county standard, will not be part of the county road system and require ongoing maintenance.
- Requires the construction of roads in a RIMD be built to a construction and design standard that is at least 20 percent of the likely cost of a similar road built to county standards. The county engineer will determine the likely cost of a similar road built to county standards.
- Specifies that the RIMD has the same authority of the former CID to collect debt, liability, obligation or assessment owed to the former CID and to levy assessments, issue bonds and levy and collect taxes for the purpose of fulfilling the general obligations of the district.

HB 2489 – Chapter 216 – special district amendments

Makes numerous changes to county procedures with regard to special districts.

- Conforms the process to add or alter the boundaries of an improvement district, a domestic water improvement district and a domestic wastewater improvement district.
- Stipulates that county improvement districts have the same authority as domestic water and domestic wastewater improvement districts to charge fees, file liens for nonpayment of user fees and foreclose on liens.
- Eliminates the requirement for 15 or more persons or 75 percent of the property owners to request the formation of a pest abatement district, along with other statutes relating to the formation of the pest control district and imposes the same requirements for formation as other county improvement districts.
- Eliminates the requirement for owners of agricultural land to show they are subject to an ongoing pest control program. Instead, excludes all agricultural land from the district unless the owner of the agricultural land requests in writing to be included in the proposed district.
- Modifies the membership of a theme park and vehicle support facility district board of directors to include a representative of the governing body of the less populous of the two cities establishing the district, elected by the governing body. Representation from the county is reduced from 3 to 2 members.
- Extends the authority of the board of directors to issue bonds until December 31, 2013.

HB 2604 – Chapter 108 – electrical districts; elections and electors

Lists the qualifications of voters and electors in electrical districts, outlines the process by which an acreage system of voting may be adopted and describes how acreage voting must be conducted.

HB 2636 – Chapter 130 – improvement districts; surplus funds

Allows a county treasurer to request that any remaining funds from an inactive dissolved improvement district be transferred to the county general fund to be used for the purposes for which it was collected, if required, or for the health, safety and welfare of the general public.

HB 2780 – Chapter 242 – noncontiguous county island fire districts

Repeals provisions of Laws 2006, Chapter 2 relating to county island fire districts that the Arizona Court of Appeals found unconstitutional and makes numerous changes relating to noncontiguous county island fire districts.

- Requires a private provider of fire or emergency medical services or both to a county island to provide notice of termination of services at least 12 months prior.
- Requires a noncontiguous county island fire district to act to do the following within 60 days after the formation of the district:
 - Enter into an IGA with a municipal provider for fire protection services for the district.
 - If no municipality expresses intent to enter into an IGA, issue an RFP from a non-municipal private provider for fire protection services. If the district enters into a contract with a non-municipal private provider there may be no annexation of fire service by municipalities except for a 180 day period before the end of the contract, provided other criteria are met.

- If there is no successful IGA or RFP, the surrounding municipality must provide fire protection and emergency medical services, except for services regulated by statute, in the district immediately on request by the district, following final certification by the county attorney. This occurs after a review by the county attorney.
- Requires a noncontiguous county island fire district to compensate the surrounding municipality if the municipality is required to provide fire protection and emergency medical services, as follows:
 - A 3-person board sets the secondary property tax rate for the district, which cannot exceed the levy limit prescribed by statute. Outlines appointment of board members. Requires the board to meet and set the tax rate within 30 days after the third person is appointed.
 - The district must levy the tax at the rate as determined by the board and collect it as other property taxes are collected. On receipt of the tax collections, the district must reimburse the county for the costs of the district formation, including administrative expenses, and must transfer remaining monies to the surrounding municipality. This tax rate is not subject to the levy limitation of the Fire District Assistance Tax.
- Defines *noncontiguous county island fire district, fire service and fire protection*.
- Requires the Legislature to convene one or more hearings to review the provision of fire protection services and to consider other appropriate means to require services to reduce the risk of loss of life in noncontiguous county island fire districts if a municipality is required to provide fire protection and emergency medical services to a noncontiguous county island fire district.

SB 1007 – Chapter 239 – vehicle license tax; military exemption

Limits the Vehicle License Tax and registration fee exemption for military members to deployed Arizona residents, expands the exemption to include registration fees for newly acquired vehicles and establishes other criteria for the exemption.

SB 1014 – Chapter 227 [E] – unauthorized use; soldier’s name; picture

Establishes a soldier’s right of publicity regarding the commercial use of the soldier’s name, portrait or picture without consent, outlines the penalties for violating this right and exempts numerous uses from the provisions of this Act.

- Establishes a Class 1 misdemeanor for using the name, portrait or picture of any soldier for certain commercial purposes without prior consent from the soldier or the soldier’s spouse, immediate family member or trustee if the soldier is a minor or legally designated representative if the person uses the name, portrait or picture for advertising goods, soliciting patronage or receiving consideration for the sale of merchandise.
- Allows any person injured by the unauthorized use of the name, portrait or picture of a deceased soldier to bring a civil action against the person who committed the violation. Claims for relief must be brought within 5 years after the unauthorized publication.
- Specifies the right of publicity survives a soldier’s death and lists the order of who may enforce the soldier’s rights and remedies.
- Provides numerous uses that are exempt from the prohibitions of this Act.

SB 1056 – Chapter 26 – marriage licenses; local court clerks

Permits the clerk of the superior court of a jurisdiction, in instances where the municipality is located more than 4 miles from the county seat, to allow the court clerk of the city or town to issue marriage licenses, including covenant marriage licenses, and to process the conversion of existing marriages to covenant marriages.

SB 1082 – Chapter 30 – county planning and zoning commissions

Changes the eligibility requirements of county Planning and Zoning Commission members and describes how alternate members may be appointed.

SB 1169 – Chapter 284 – county recorders; social security numbers

Requires county recorders to redact references to social security numbers (SSNs) available on the recorder's website, absolves recorders of liability from required redactions, requires a judgment preparer to ensure SSNs are excluded from the judgment and prohibits the Department of Revenue from including SSNs or other taxpayer identifiers on refund checks.

SB 1198 – Chapter 52 – county powers; open fires

Allows counties to adopt ordinances prohibiting open fires in certain unincorporated areas if the national forest, U.S. Bureau of Land Management or State Forester has enacted a corresponding prohibition.

SB 1328 – Chapter 220 – recorded liens; invalid documents

Prohibits the recording of certain nonconsensual liens or consensual liens not accompanied by the debtor's signature acknowledging the filing and recording of the lien.

SB 1423 – Chapter 136 – municipal development fees; procedures

Changes various statutes relating to the administration of municipal development fees.

- Specifies the necessary public services for which a municipality may charge development fees.
- Requires development fees identified in an Infrastructure Improvements Plan be used to provide the same category of necessary public service for which the fee was assessed.
- Requires the municipality provide a credit toward the payment of a fee for necessary public services included in the plan for which a fee is assessed, to the extent the public sites, improvements and necessary public services are provided by the developer.
- Allows a municipality to automatically adjust a development fee on an annual basis without a public hearing if the adjustment is based on a nationally recognized index applicable to the cost of the necessary public service that is the subject of the fee and the adjustment mechanism is identified in the written report issued to the public.

SB 1483 – Chapter 232 – *amusement rides; safety

Requires an amusement ride owner or operator have the ride inspected at least annually by an inspector meeting specified criteria, maintain a written certificate of inspection and a written permit for its operation issued by the municipality or county. Establishes insurance criteria and minimum coverage of 1,000,000 for bodily injury and \$500,000 for property damage per occurrence or in an amount of \$2,000,000 per occurrence for a combined single limit. Allows municipalities and counties to establish reasonable and necessary fees to administer and enforce the safety requirements and prescribes fees cannot exceed those charged for business licenses or temporary use permits for similar temporary businesses.

